

THE MAINE LIAISON



Edition 5

April 2016

The Cannabis Issue

Paul R. LePage, Governor

John E. Morris, Commissioner

Drug Use in Traffic Crashes Is Gaining on Alcohol

As is occurring across the country, drugged driving is an emerging issue in Nebraska. Marijuana has been the most common drug found in Nebraska drivers and was tied to half the drug-related fatalities in Nebraska between 2011 and 2014. Law enforcement officials say the legal recreational use of marijuana in neighboring Colorado in the past two years has made marijuana more available in Nebraska. Bought legally in Colorado, the drug is easily brought across state lines. Nebraska convened a summit of law enforcement and public safety officials to raise awareness about drugged driving and discuss solutions. Nebraska hopes to deal with drugged driving by training more police officers to recognize the signs of drug impairment and getting the message out to the public that just as with drunken driving, drugged driving is dangerous, and it could land you in big trouble.

Read the full story at: www.omaha.com

ND Police Seizing Concentrated Form of Marijuana

The West Fargo Police Department has begun seizing an increased amount of the marijuana concentrate called "shatter." Shatter is about five times more potent than smoked cannabis and more powerful than standard hash oil. It has a THC content of 80 percent or more, is legal for recreational use in states such as Colorado and Washington and is sold in medical marijuana dispensaries in other states. [Read More >>](#)

The LEL Traffic Stop is a publication of the National Law Enforcement Liaison Program

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"Cannabis, Its just a plant." "Mankind has used it for centuries in various forms." Right? For centuries we didn't operate motor vehicles! If you fell off your horse you hurt yourself. Today, impaired driving is injuring and killing too many people. Inexperienced dope smokers will naturally cause these number to skyrocket Speak up! Stay Safe,

Tom Reagan

Law Enforcement Liaison

In This Issue

- Marijuana vs. Alcohol
- Maine's **TSRP** provides everything you need to know
- Lots of links to cannabis information



Help us spread the highway safety message. Become our fan on Facebook at www.facebook.com/MaineBureauOfHighwaySafety

U.S. Supreme Court Rejects Bill of Complaint in Marijuana Case



The Supreme Court has rejected an attempt by two states to challenge the constitutionality of a Colorado law allowing for the sale of recreational marijuana. Oklahoma and Nebraska had requested to file a suit that argued that federal anti-drug laws do not allow for a patchwork of state and local drug policies and license distribution schemes throughout the country. The complaint was based on the supremacy clause of the Constitution which gives Congress the power to regulate commerce between the states and also argued that federal drug laws should preempt Colorado's regulations that authorize, monitor and regulate marijuana sales. The [denial](#) of the motion for leave to file a bill of complaint simply states that the motion is denied, though the dissenting opinion provides more context.

Marijuana vs. Alcohol

For those who argue that marijuana dependence produces less harmful social and economic effects than alcohol...here is a well designed longitudinal study showing evidence that it does not. Marijuana dependence, at least according to this study, produces just as many harmful economic and social problems as alcohol.



VS



[Abstract](#) With the increasing legalization of cannabis, understanding the consequences of cannabis use is particularly timely. We examined the association between cannabis use and dependence, prospectively assessed between ages 18 and 38, and economic and social problems at age 38. We studied participants in the Dunedin Longitudinal Study, a cohort (N=1,037) followed from birth to age 38. Study members with regular cannabis use and persistent dependence experienced downward socioeconomic mobility, more financial difficulties, workplace problems, and relationship conflict in early midlife. Cannabis dependence was not linked to traffic-related convictions. Associations were not explained by socioeconomic adversity, childhood psychopathology, achievement orientation, or family structure; cannabis-related criminal convictions; early onset of cannabis dependence; or comorbid substance dependence. Cannabis dependence was associated with more financial difficulties than was alcohol dependence; no difference was found in risks for other economic or social problems. Cannabis dependence is not associated with fewer harmful economic and social problems than alcohol dependence.

MONDAY, MAY 16 AT 7:30 A.M., PORTLAND, ME

Maine Impaired Driving Summit

[By: AAA Northern New England and Maine Bureau of Highway Safety](#)

Are You Ready For Legal 420?

Scot Mattox, Esq. Traffic Safety Resource Prosecutor

Maine Bureau of Highway Safety

WAYNESBORO, Va.
- A Virginia man called 911 in a disoriented state to ask for rolling papers, according to the Waynesboro Police Department.

fox5dc.com/



Regardless of one's personal perspective on the legalization of recreational marijuana – it is coming to Maine. There is little doubt that law enforcement and prosecutors will end up shouldering much of the front-end burden of the legalization consequences. Thus, I urge you to consider what you can do to prepare.

Marijuana apologists make claims that legalization will bolster the economy, remove the black market for buying pot, and provide safer product to the plethora of users already out there – users who are going to get the drug anyway.

Opponents, however, are skeptical that even if tax revenues increase from the weed industry likely to smother the state when recreational legalization occurs, it doesn't overcome the additional societal expenses resulting from mainstream marijuana. Furthermore, illegal sales aren't going to be eliminated. They will simply reconfigure and profit from skirting the rules governing regulation. Also, though it's true that government grown weed may indeed be "safer" than buying it from "Vinnie" at the playground, the problem with marijuana grown in optimum conditions is that it comes with a significant increase in its purity. This is not your 70's era weed that Cheech and Chong often brought us to chuckles over - this is a whole new drug with a THC purity previously unknown.

Central to the argument about legalization is also the concern voiced by law enforcement professionals in states where recreational marijuana is already legal. They warn that while smoking weed is at the root of the controversy – more worrisome is all the stuff that comes with it. Public safety officials must prepare.

Have you thought about edibles; the kinds that look like cookies and kids think are well . . . cookies, or brownies, or pizza, or gummy bears? Or butane hash oil; the kind that blows up houses when an idiot neighbor tries to make it? And, *what about* that increasing THC purity of government produced marijuana grown in pristine conditions; what happens when new users start their experimentation with marijuana that has THC levels off the chart? Do we really want to start a generation of pot smokers that develop THC tolerance early on based on a drug so pure?

MARIJUANA IS NO LONGER JUST A GREEN LEAFY substance that is smoked through a glass pipe or a bong.

This "new" marijuana is completely different from anything with which we have dealt in the past. nlelp.org

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Maine Bureau of Highway Safety

It's time we started taking proper care of ourselves when dismantling **marijuana grows**. Here's the proper safety equipment you need.



gravesassociates.com



LEWISTON, Maine — As advocates for legal marijuana close in on a signature-gathering campaign likely to force a statewide ballot question in 2016, Maine lawmakers, law enforcement officers and elected officials are more seriously contemplating the broader implications of what legal weed would look like in the Pine Tree State. [BDN](#)

A resource for those of you who speak out against (or for) the cannabis legalization.

www.RMHIDTA.org

And of course don't forget the traffic safety perspective! We know that national statistics are showing a decrease in alcohol OUIs, while drug impaired ones are growing in number. How do we deal with an almost guaranteed increase in cannabis-impaired drivers once recreational use becomes legal? Guaranteed because the common perception in the general public is that driving high is almost certainly safer than driving drunk.

Notwithstanding all of the above, the time for debate is over. Legal recreational marijuana is on the horizon and now is the time to get ready. However, with all the rapidly evolving cannabis-overload information out there – what's a cop or prosecutor to do?

The Maine Bureau of Highway Safety (MeBHS) is funding a number of initiatives in our state designed to help ease the predicted increased burden law enforcement and prosecutors will almost certainly encounter with this endeavor. I urge all to take advantage of what is being offered. These programs and trainings are very useful for dealing with marijuana (or any drug-impairment) case:

The Maine OUI Summit:

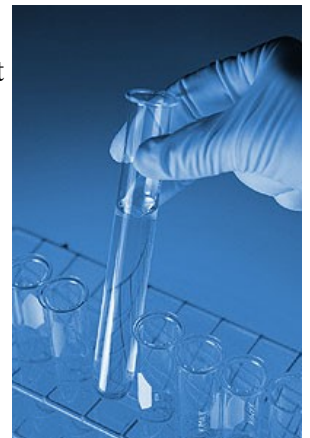
On May 13th in Portland officers and prosecutors can listen to a number of national level experts offering the latest information about drug impairment and marijuana. Moreover, we have a tentative second summit day scheduled in Bangor on July 13th featuring Professor John Kwasnowski focusing his lecture on impaired driver crash investigation. More on day two later...

ARIDE Training

MeBHS is actively attempting to get ARIDE training out to as many patrol officers as possible within the state. Our long-term goal is to get this training to every field officer that wants it. If you're a patrol officer who wonders how to handle a marijuana OUI, this class is for you. Furthermore, it offers a great introduction to the impairing effects of all drug categories out there, and is very useful to any prosecutor interested in attending.

State Lab Chemical Testing Upgrades

The state lab is currently updating equipment and procedures to test for THC in blood. When ready, samples will no longer have to be sent out of state for THC quantitative levels. In the long term, testing for a number of other drugs will also be available.



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Law Enforcement Phlebotomy Technicians



The lab cannot test blood it doesn't have, so we need to get that evidence captured. Additionally, because active THC is only seen in blood tests it must be administered as soon as possible after an OUI arrest, MeBHS has created and implemented a training program for Maine law enforcement officers who want to draw blood for evidentiary purposes in OUI cases. This reduces the time needed to get THC evidence under the theory that in many cases an officer can respond more quickly than a blood technician. MeBHS will reimburse call-out pay for these specially trained officers.

Impaired Driving Special Prosecutors

Three districts in Maine (Cumberland, Androscoggin and Penobscot Counties) each now have Impaired Driving Special Prosecutors dedicated to enhancing their training, technical knowledge and experience in OUI alcohol and drug cases. It's a great program that will increase the state's expertise in this field.

Additional DRE classes, Enhanced Field Training, DRE Call-Out Reimbursement

The MeBHS is funding additional DRE trainings including the sending of many candidates out of state for enhanced and quicker field certification. Also, agencies that call-out DREs to investigate OUI cases are reimbursed for those call out costs.

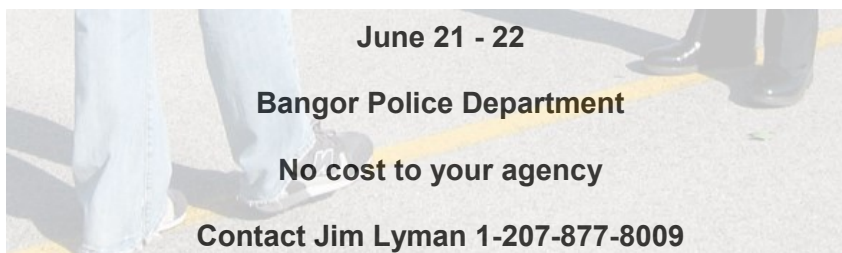
Prosecuting the Drugged Driver Trial Advocacy Training:

Prosecutors in Maine can take advantage of the National Traffic Law Center's *Prosecuting the Drugged Driver Class* that is being offered in Augusta, Maine this summer. Stand by for details!

In Maine, our public safety agencies are fairly consistent in being pro-active in response to impaired driving enforcement. However, the legalization of recreational marijuana will test that effort. Individual officers and prosecutors can take advantage of any of the above programs, depending upon need, to help get ready.

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Advanced Roadside Impaired Driving Enforcement (A.R.I.D.E.)



DRE Students to Baltimore

Twenty-one Maine DRE students completed their field certifications at the Baltimore County Jail, Central Booking in Baltimore Maryland. The group was divided into two groups with each spending two nights in the jail to get their required evaluations.

Students were in the jail for approximately 12 hours each day then focused on reports on their off time.

Each student completed their required 6 hands on evaluations and 12 total evaluations.

This effort was a collaboration with the Maryland DRE program. Thank you to all instructors.

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Maine Bureau of Highway Safety

In closing, please always feel free to reach out to me, or Tom Reagan at MeBHS (our Law Enforcement Liaison), or Trooper Aaron Turcotte in the State Police Traffic Unit (Impaired Driving Reduction Trooper) with any and all impaired driving related questions. We will do our best to get you all the help you need. Legal recreational marijuana is coming to Maine. Don't get caught unprepared.

See you all at the ballot box in November!

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P.S. Although Marijuana legalization is a significant traffic safety concern, it dovetails into a number of other public safety concerns. On the following pages I leave you with two lists. The first list contains talking points organized by the National Association of Prosecutor Coordinators which I believe nicely outlines the issues that any state considering legalizing marijuana should consider. The second is a list of links to videos I've compiled on the marijuana legalization issue. They are helpful in outlining some of the many different issues to consider.

Continued on next page

Course:	Below 100
Location:	Biddeford Police Department 39 Alfred Street, Biddeford
Date:	May, 2nd 2016
Time:	0800-1200
Cost:	FREE
Instructor:	Officer Heath Langevin
Contact:	Sergeant Jeffrey Greene at jeffrey.greene@bpd.net

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Talking Points:

MARIJUANA IS A PUBLIC SAFETY HAZARD

The following statistics from Colorado paint a bleak picture (Source: [*The Legalization of Marijuana in Colorado: The Impact, Vol. 3, Rocky Mountain HIDTA, Sept. 2015*](#)):

- Marijuana related traffic deaths increased 92 percent from 2010 to 2014.
- ER admissions of youth poisoned by marijuana increased from 2 in 2009 to 16 in 2014.
- There was a 225 percent increase in exposure of kids under age 5 to marijuana.
- Marijuana related school suspensions/expulsions increased 40 percent.
- Overall crime in Denver increased 12.3 percent from 2012 to 2014

STATE LAW CANNOT TRUMP FEDERAL LAW

Marijuana remains a Schedule I drug under Federal law that is illegal. Under the Supremacy Clause of the United States Constitution, Federal law always prevails over state law, when the two are in conflict. *Gonzales v. Rich*, 545 U.S. 1, 29 (2005).

MARIJUANA, INC. IS BIG TOBACCO 2.0

In the states that have approved medical marijuana, the well-financed legalization movement has made significant advances and has increased pressure to decriminalize and legalize marijuana.

Source: [*LearnAboutSam.org Report on Colorado and Washington*](#)

Recreational marijuana proponents have boasted for decades that medical marijuana is the red herring they need to achieve full legalization. Medical marijuana is clearly the proverbial camel's nose under the tent. Source: [*Video of NORML Leaders*](#)

MARIJUANA IS NOT MEDICINE

We have empathy for those who suffer serious pain or discomfort and seek therapeutic relief. However, despite the actions of several states on this issue, there is no reliable scientific evidence that smoked marijuana provides such therapy. Source: [*Journal of American Medical Association*](#)

The FDA is currently in the final stages of testing for the approval of a two drugs (**Sativex** and **Epidiolex**) that are derivatives of the marijuana plant for treatment of epileptic seizures and pain. Source: FDA Statement to Subcommittee on Government Operations, U.S. House of Representatives, June 20, 2014.

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"Measuring the Impact of Marijuana Legalization with the Washington Roadside Survey of Driver Drug and Alcohol Use"

[*Police Chief Magazine*](#)

Drug Legalization: Why It Wouldn't Work in the United States.

[*Police Chief Magazine*](#)

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Video Links:

<http://www.nbcnews.com/storyline/legal-pot/legal-weed-surprisingly-strong-dirty-tests-find-n327811>

How potent is the THC content in professional made pot?

<https://www.coloradopotguide.com>

Amazing variety of legal pot for sale and here is where (and how) to get it.

<https://youtu.be/uab8yGeI0d4>

Here are 5 ways to ingest marijuana without smoking it.

<https://youtu.be/2i464hZm4kM>

Dabbing. Anyone with an interest in legalizing recreational marijuana needs to know what this is.

<https://youtu.be/TL-ruv8CLj8>

50K Subscribers. This pot advocate is excited that he has 50K (yes, 50,000) subscribers on his YouTube Channel.

<https://youtu.be/z-eNw3BFm0c>

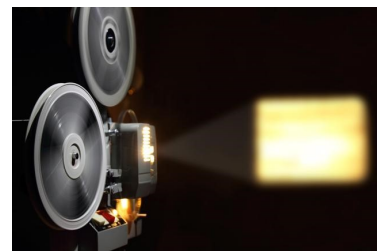
You don't understand the Marijuana Advocate's world unless you know Crutch 420. Crutch and his new friend Strain Central talk about 420, the legalization movement, and life in general. No need to watch the entire video, however give it 5 or 10 minutes to understand the perspective and power of a YouTube channel on the younger generation and realize that legalization efforts are not going away.

<https://youtu.be/Bb8u9C7zLdI>

CNN does their own quasi-scientific experiment on marijuana consumption and driving skills.

<https://youtu.be/nMsQuHpYBSM>

Lastly, and mostly just for fun, high people explain why recreational marijuana should be legal.



DRE Refresher

This year's annual DRE refresher is scheduled for September 1, 2016. New materials and programs are typical topics so I suggest you attend as many refreshers as possible but at least the required refresher every other year.

Once again we'll be at the MCJA. Jim Lyman is your contact.

These studies were in my email but I am unable credit the source. LEL

Marijuana *significantly impairs judgment, motor coordination, and reaction time*, and studies have found a direct relationship between blood THC concentration and impaired driving ability. ¹

A study conducted at the University of Iowa's National Advanced Driving Simulator found drivers who use alcohol and marijuana together **weave more** on a virtual roadway than drivers who use either substance independently. ²



Marijuana is the illicit drug *most frequently found in the blood of drivers who have been involved in a crash*, including fatal ones (although it is important to note that marijuana can remain detectable in body fluids for days or even weeks after acute intoxication). ³

A meta-analysis of multiple studies found that the *risk of being involved in a crash roughly doubles after marijuana use*. ⁴

National Highway Traffic Safety Administration (NHTSA) 2013-2014 National Roadside Survey of Alcohol and Drug Use by Drivers showed that approximately *12.6 percent of drivers had evidence of marijuana use in their systems, up from 8.6 percent in 2007*. ⁵

NHTSA 2013-2014 National Roadside Survey of Alcohol and Drug Use by Drivers showed *marijuana users were about 25 percent more likely to be involved in a crash than drivers with no evidence of marijuana use*. ⁶

Recent use of THC the risk of being killed in a fatal crash is similar to a driver with a BAC of up to approximately 0.151. ⁷

Marijuana is now related to a **record high of 33% of DUI cases** in Washington state since it legalized recreational use. ⁸



1. Lenné M, Dietze P, Triggs T, Walmsley S, Murphy B, Redman J. The effects of cannabis and alcohol on simulated arterial driving: influences of driving experience and task demand. *Accid Anal Prev*. 2010;42:859-866.
2. Hartman RL, Huestis MA. *Cannabis effects on driving skills*. *Clin Chem*. 2013;59:478-492.
3. Marilyn Heutis, et al., *Cannabis Effects on Driving lateral Control with and Without Alcohol*, 2015.
4. Brady JE, Li G. Trends in alcohol and other drugs detected in fatally injured drivers in the United States, 1999-2010. *Am J Epidemiol*. 2014;179(6):692-699.
5. Ramaeckers JG, Berghaus G, van Laar M, Drummer OH. Dose related risk of motor vehicle crashes after cannabis use. *Drug Alcohol Depend*. 2004;73:109-119.
6. Hartman RL, Huestis MA. Cannabis effects on driving skills. *Clin Chem*. 2013;59:478-492.
7. www.nhtsa.gov
8. Id.
9. VicRoads. (n.d.) Cannabis & road safety.

CDC Warns of Dangers of Marijuana Edibles

High Times.com

The CDC

TechTimes.com

washingtontimes.com

ABCNews.com

We should all be concerned.

Last year was a rough year for fatal crashes in Maine. We constantly strive for reduction but do expect occasional spikes. Last year was a spike. Unfortunately, the death count so far in 2016 has increased by about 30% over last year at this point. Let's not allow this to be a trend.

Please slow them all down, buckle them up and stop the impaired drivers..